

Aug 28, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHASE WILLIAM MICHELL,

Defendant.

No. 2:15-CR-00134-SMJ

PROTECTIVE ORDER

Before the Court, without oral argument, is the United States' unopposed Motion for a Protective Order, ECF No. 24, and related Motion to Expedite, ECF No. 25. Having reviewed the pleadings and the file in this matter, the Court is fully informed and finds that a protective order pursuant to 18 U.S.C. § 3509(d) is necessary in this case. Accordingly, the Court **GRANTS** the United States' motions and enters the following protective order:

IT IS HEREBY ORDERED, that the privacy protection measures mandated by 18 U.S.C. § 3509(d), when a case involves a person under the age of eighteen years who is alleged to be a victim of a crime or a witness to a crime committed against another person, apply to this case, thus;

1 **IT IS FURTHER ORDERED** that all persons acting in this case in a
2 capacity described in 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the
3 privacy protections of 18 U.S.C. § 3509(d)(1) and (2) as follows:

4 (d) Privacy protection.—

5 (1) Confidentiality of information.—

6 (A) A person acting in a capacity described in
7 subparagraph (B) in connection with a
criminal proceeding shall—

8 (i) keep all documents that disclose the
9 name or any other information
10 concerning a child in a secure place to
which no person who does not have
reason to know their contents has
access; and

11 (ii) disclose documents described in clause
12 (i) or the information in them that
concerns a child only to persons who,
13 by reason of their participation in the
proceeding, have reason to know such
14 information.

15 (B) Subparagraph (A) applies to—

16 (i) all employees of the Government
17 connected with the case, including
employees of the Department of Justice,
any law enforcement agency involved
18 in the case, and any person hired by the
Government to provide assistance in the
19 proceeding;

20 (ii) employees of the court;

(iii) the defendant and employees of the defendant, including the attorney for the defendant and persons hired by the defendant or the attorney for the defendant to provide assistance in the proceeding; and

(iv) members of the jury.

(2) Filing under seal.—All papers to be filed in court that disclose the name of or any other information concerning a child shall be filed under seal without necessity of obtaining a court order. The person who makes the filing shall submit to the clerk of the court—

(A) the complete paper to be kept under seal; and

(B) the paper with the portions of it that disclose the name of or other information concerning a child redacted, to be placed in the public record.

IT IS FURTHER ORDERED that counsel shall remind all persons providing assistance on this case of these obligations.

IT IS FURTHER ORDERED that any alleged minor victim will be referred to either by initials or a pseudonym, whichever is agreed upon by counsel for the United States and Defendant. Counsel shall be consistent in their use of the identifier selected. The parties shall prepare their witnesses and instruct them to refer to the alleged minor victims only by using the agreed pseudonyms (e.g., “Minor 1”, “Minor 2” etc.), rather than their names, in opening statements and in closing arguments.

IT IS FURTHER ORDERED that all personal information relating to any minor victim shall be precluded from public disclosure.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 28th day of August 2018.

ALVADOR MENDOZA

SALVADOR MENDOZA, JR.
United States District Judge